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*Attorneys for Defendants Interstate Battery System of
America, Inc., and Interstate Battery System International, Inc.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

DENO MILANO,

Plaintiff,

vs.

INTERSTATE BATTERY SYSTEM OF
AMERICA, INC.; INTERSTATE BATTERY
SYSTEM INTERNATIONAL, INC.,

Defendants.

Case No. C 10-02125 CW

**STIPULATION TO EXTEND DEADLINE
AND ORDER**

1 Plaintiff Deno Milano and Defendants Interstate Battery System of America, Inc., and Interstate
2 Battery System International, Inc., by and through the undersigned attorneys hereby agree and stipulate
3 as follows:

4 WHEREAS, as the parties reported in previous stipulations, as well as in their joint case
5 management statement and at the further case management conference on August 25, 2011, the parties
6 have been working for several months to resolve this case on a classwide basis;

7 WHEREAS, the parties reported to the Court during the status conference that they hoped to
8 execute a final settlement agreement in time to file their preliminary settlement approval papers by
9 September 22, 2011;

10 WHEREAS, the Court set a deadline for that filing on September 22, 2011, and instructed the
11 parties to let the Court know if more time would be needed;

12 WHEREAS, although the parties have continued to work diligently to finalize their settlement,
13 they have to date not been able to complete all of the documents necessary for the proposed settlement;
14 and

15 WHEREAS, the parties nonetheless remain optimistic that they will be able to do so within the
16 next 30 days.

17 **IT IS HEREBY STIPULATED AND AGREED**, by and through the undersigned attorneys for
18 the parties, subject to the Court's approval, that:

- 19 1. The deadline for filing a motion for preliminary settlement approval, currently set for
20 September 22, 2011, will be extended to October 27, 2011.
- 21 2. The hearing on the motion for preliminary settlement approval, currently set for October
22 13, 2011, at 2:00 p.m., will be rescheduled to November 17, 2011, at 2:00 p.m.
- 23 3. The hearing on the motion for final settlement approval, currently set for January 12,
24 2012, at 2:00 p.m., will be rescheduled to February 16, 2012, at 2:00 p.m.

25 **IT IS SO STIPULATED.**
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1 DATED: September 22, 2011

GIRARD GIBBS LLP

2 By: /s/ Eric H. Gibbs

3 David Stein
4 601 California Street, Suite 1400
5 San Francisco, California 94104
6 Telephone: (415) 981-4800
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8 *Interim Lead Class Counsel*

9 DATED: September 22, 2011

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10 By: /s/ Craig E. Stewart

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16 *Attorneys for Defendants*

17 **PURSUANT TO STIPULATION, IT IS ORDERED.**

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20 Date: 9/22/2011



21 Judge Claudia Wilken
22 United States District Judge
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